

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, JUNE 13, 1988, 7:30 P.M.

Mayor Pro-tem David Pasquini called the meeting to order. Council Members present were:

- Julie Andresen
- David Godschalk
- Joe Herzenberg
- Nancy Preston
- James Wallace
- Arthur Werner
- Roosevelt Wilkerson

Mayor Howes was absent, excused. Also present were Town Manager David R. Taylor, Assistant Town Manager Sonna Loewenthal and Town Attorney Ralph Karpinos.

Petitions

Eldora Brummet petitioned the Council to review the problems of entering and exiting Cedar Falls Park. She also asked that the Council help expedite lowering of the speed limit on Weaver Dairy Road near Cedar Falls Park to help with the traffic problems in that area. She introduced into the record a petition signed by 100 citizens requesting a lowering of the speed limit. (For copy of petition, see Clerk's files.)

COUNCIL MEMBER ANDRFSEN MOVED, SECONDED BY COUNCIL MEMBER WALLACE TO RECEIVE THE PETITION AND REFER IT TO THE MANAGER. THE MOTION PASSED UNANIMOUSLY, (8-0).

Minutes

Council Member Preston commented that she liked the statement on the cover of the minutes indicating that audio and video tapes were available for review.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT THE MINUTES OF MAY 16, 1988 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT THE MINUTES OF MAY 25, 1988 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Special Appearance District

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT RESOLUTION 88-6-13/R-1.

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Council Member Werner asked how this proposed resolution differed from the Council's action at the end of the May 16 public hearing when the Council referred this matter back to the staff, Planning Board and Appearance Commission. Manager Taylor replied that the proposed resolution allowed for an extended time in which to make the staff report and also set a schedule of work and discussions to take place during the interim.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

RESOLUTION REFERRING SPECIAL APPEARANCE DISTRICT PROPOSALS
(88-6-13/R-1)

BE IT RESOLVED by the Chapel Hill Town Council that proposals to amend the Chapel Hill Development Ordinance and Zoning Atlas to designate Special Appearance Districts, considered by the Town Council at its May 16 Public Hearing, be referred to the Town Manager, Planning Board, and Appearance Commission for further discussion.

BE IT FURTHER RESOLVED that the Planning Board and Appearance Commission is requested to consider these proposals and report back to the Town Council during November, 1988.

This the 13th day of June, 1988

Skateboard Ramps

Council Member Godschalk stated that the proposed resolution would call for a public hearing in October to consider amending the Development Ordinance to regulate skateboard ramps. He asked if the staff had an idea of how it would amend the Ordinance to regulate skateboard ramps. Manager Taylor responded that the staff had not as yet been able to work out all the possibilities and that this would be done over the summer. He said the purpose of the resolution was to schedule the public hearing and save a place on the Council's agenda. He said the possibilities for regulation under the Development Ordinance range from height and width limitations to buffers, etc.

Council Member Godschalk stated that the proposed Ordinance-1a would only regulate the hours of operation for skateboard ramps. Manager Taylor said adoption of Ordinance-1a would regulate the hours of operation for skateboard ramps exceeding four feet in height and/or twelve feet in length. He said the staff did not recommend adoption of Ordinance-1b which would declare skateboard ramps in excess of 10' high and 30' long as public nuisances because it was felt there was not enough evidence from the public hearing of May 9 to justify declaring skateboard ramps of this type as public nuisances.

Council Member Godschalk said that the staff report indicated that the city of Minneapolis had declared all skateboard ramps as public nuisances and he wondered if the laws in Minnesota were that different from the laws in North Carolina. Attorney Karpinos responded that he was not familiar with the laws in Minnesota but that in his opinion the evidence given at the Council's public hearing on skateboard ramps did not qualify the ramp under North Carolina law as a public nuisance. He said evidence was not given to support the idea that the community's safety and welfare was being affected by the skateboard ramp on Rogerson Drive. He also stated that there was the possibility that adoption of Ordinance-1a and its implementation would eliminate the problems associated with the Rogerson Drive skateboard ramp.

Council Member Herzenberg asked if there had been unanimous consensus from all the neighbors in the Rogerson Drive area that the skateboard ramp constituted a nuisance would the attorney have felt the ramp was a public nuisance. Attorney Karpinos replied that the case would have been stronger if there had been total agreement from the entire neighborhood that the skateboard ramp was a nuisance, but that the testimony at the public hearing indicated that there were neighbors right next door who were not bothered by the ramp.

Council Member Herzenberg stated that he did not feel the proposals before the Council addressed all the issues. He said the Council needed the input from the Parks and Recreation Commission and an update on the status of the private lawsuit on this issue.

Council Member Wallace said that he felt the skateboard ramp on Rogerson Drive constituted a public nuisance and that all skateboard ramps had that same potential. He said he would prefer to ban skateboard ramps completely.

Council Member Werner said the Council could adopt Ordinance-1a to regulate the hours of operation at this point and when the Parks and Recreation Commission had their report ready, review the situation again. He asked if there had been any response from the neighborhood to the Manager's proposal. Manager Taylor replied that copies of the memorandum had been sent to the neighbors. He said that the owner had indicated at the public hearing that he was going to put restrictions on the times of use.

Council Member Preston agreed with Council Member Werner in that adoption of Ordinance-1a would put the regulations into effect and that the Council could review the situation further once it received its report from the Parks and Recreation Commission regarding Town participation in skateboard ramps.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG TO ADOPT ORDINANCE 88-6-13/O-1A.

Council Member Godschalk said he would vote against the motion because he felt it did not address the real problem.

Elmer Oettinger, speaking as a citizen, said that he felt it was a misconception if the Town staff did not believe the Oakwood neighborhood was in favor of having the skateboard ramp removed from the neighborhood. He read the Minneapolis code relating to skateboard ramps and said he felt that code was applicable to Chapel Hill. He said he felt the ramp on Rogerson Drive constituted a public nuisance and that it should be removed.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER WILKERSON FOR A SUBSTITUTE MOTION TO ADOPT ORDINANCE 88-6-13/O-1B.

Council Member Godschalk said that he would be agreeable to sending the matter back to the staff for a further report and additional proposals which addressed the entire issue.

Manager Taylor commented that Ordinances-1a and O-1b were not mutually exclusive and that the Council could adopt both.

Council Member Wallace said that he would prefer referring this matter back to the staff. He said he would like to see options made to the Council for the total elimination of skateboard ramps and not try to regulate them on the basis of length or width.

COUNCIL MEMBERS GODSCHALK AND WILKERSON WITHDREW THEIR MOTION.

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN FOR A SUBSTITUTE MOTION TO REFER THE MATTER TO THE MANAGER FOR FURTHER CONSIDERATION AND REPORT AS SOON AS POSSIBLE.

Council Member Preston said that the Council needed to review the matter with all the information available and look at the total picture. She said it could be that the best idea was to lease some land to a skateboard club who would then have all the liability.

Council Member Werner said that he felt adoption of Ordinance-1a would address some of the problems associated with the Rogerson Drive skateboard ramp and would allow for some regulation during the time in which the Council was waiting for further information. He said he felt some resolution to the issue needed to be made at this point.

Council Member Wilkerson asked if the staff would be able to have their report by the June 27 meeting. Manager Taylor replied that the staff really needed to coordinate with the Parks and Recreation Commission and make their report after taking into consideration the questions, concerns and recommendations of the Commission. He said the Commission did not expect to have its report until July and therefore it would be August before the staff would be able to make a consolidated report.

Council Member Andresen suggested adopting Ordinance-1a now and have the staff report back to the Council in August.

Council Member Herzenberg commented that the City of Wilson had a skateboard ramp in one of their parks and that the staff should look into this. Manager Taylor replied that the Parks and Recreation Commission were aware of this and were including that information in their report.

THE SUBSTITUTE MOTION TO REFER TO THE MANAGER CARRIED, (6-2), WITH COUNCIL MEMBERS ANDRESEN AND WERNER VOTING AGAINST.

THE MOTION, AS SUBSTITUTED, PASSED UNANIMOUSLY, (8-0).

Downtown Shuttle Project

Manager Taylor stated that this was a status report on the Downtown Shuttle project which the Council had considered earlier this spring. He said the staff had discovered that it would not be possible to lease the trolleys for the 90-day trial period, and that if the Town wanted to use trolleys the Town would have to buy them. He said there appeared to be a 9-month delivery period for the trolleys once purchased and therefore start of the service would not be possible until fall of 1989. Manager Taylor stated that the staff felt the project had merit and recommended purchasing the trolleys through state and federal funds (90%) and local funds (10%). He said operating costs would be split 50% federal funding and 50% local funding, with the private sector providing the local operating funds. Manager Taylor said that if the Council wished to proceed with the project then it would be necessary to amend the Capital Improvement's Program and the Chapel Hill element of the Transportation Improvement Program to include this project. He stated that if the project were to begin operation in the fall of 1989 then the Council needed to make an initial decision by July 30 in order to meet the deadline for application for funds from UMTA and a final decision by October when the funds would be made available to the Town and the order for the trolleys would be made.

Council Member Werner expressed concern that the proposal was to purchase the trolleys and go ahead with the project without a trial period. He said it seemed an expensive proposition with an estimated 5 riders per trolley per hour. Manager Taylor replied that the Council could still have a 90-day trial period using refurbished Town buses but that he had understood the Council did not want to use old buses. He also said that the estimates on ridership were based on half of the current average ridership on Town buses and that the actual use of a trolley system would hopefully generate more ridership.

Council Member Preston said she did not think one could compare the current transit system with the proposed free trolley system for the downtown areas. She pointed out that they would only operate during certain hours with a fixed route. Ms. Preston

asked if it would be possible to extend the hours of operation to 10:30 a.m. to 3:00 p.m. and if so, what would be the costs. Manager Taylor replied that the costs would be \$30.00 per hour per trolley per day.

Council Member Godschalk asked if there were any comparative figures between the initial proposal and the current proposal. Manager Taylor replied that the staff felt the operating costs would remain essentially the same at \$30.00 per hour per vehicle and the local costs would be split with 50% being funded by the private sector and 50% from the Town.

Council Member Wilkerson asked if the proposed express service from Plantation Plaza to UNC would have an effect on the shuttle proposal. Manager Taylor replied that he did not think it would have an effect since the routes would be different.

Council Member Herzenberg spoke in support of the proposal. He said he did not feel the Town would be taking that big of a risk since the trolleys could be sold for almost all of their initial costs if the program did not work. He pointed out that the Council had until October before making the final decision.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 88-6-13/R-3.

Council Member Werner asked if the proposal had been discussed with Carrboro. Manager Taylor replied yes but that at this point the proposal did not involve Carrboro's participation in the operating costs of the project.

Mayor Pro-tem Pasquini stated that he had several concerns about the project and the possibility of a special tax district to help fund the project. He said he felt \$300,000 was an excessive amount to pay for two trolleys. He stated that he would like further information from the Downtown Commission on their participation and funding sources and from the Transportation Board on their concerns and recommendations on the project. He said he would prefer to use two refurbished Town buses for a trial period because if the project did not work then the trolleys would not be adaptable to other Town uses.

Council Member Andresen said the Downtown Commission was working hard at trying to revitalize the downtown area and that the trolley project was considered a key element. She said she was not opposed to using two Town buses for a trial period but that the Town needed to go ahead and move forward on the project.

THE MOTION CARRIED, (6-2), WITH COUNCIL MEMBER WERNER AND MAYOR PRO-TEM PASQUINI VOTING AGAINST.

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE MANAGER TO IMPLEMENT THE PLANNING PROCESS FOR A DOWNTOWN TROLLEY SHUTTLE PROGRAM (88-6-13/R-3)

WHEREAS, the Council supports the efforts of the Chapel Hill-Carrboro Downtown Commission as created following the 1987 Public-Private Partnership Conference; and

WHEREAS, the Downtown Commission has identified traffic congestion, the availability of convenient parking, and mobility within the downtowns of Chapel Hill and Carrboro as areas in need of improvement; and

WHEREAS, the Downtown Commission believes the implementation of a downtown fare-free shuttle trolley service may help alleviate the problems facing the downtown areas;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Manager is hereby authorized to amend the Town's Capital Improvement Program (CIP) and the annual element of the Chapel Hill Transportation Improvement Program (TIP) to provide for the acquisition of two trolley buses and to include these vehicles in the Town's Federal Capital Grant application for FY 1988-89.

BE IT FURTHER RESOLVED that the Manager is hereby authorized to discuss further with the Downtown Commission and Town of Carrboro regarding potential funding sources for the local operating and capital needs to implement a Downtown Trolley Shuttle Program.

This the 13th day of June, 1988.

Shelter Renovations

Manager Taylor stated that this was a report on the plans for renovating the Old Town Hall/Police Building for use as a shelter for the homeless.

Richard Edens, speaking as President of the Inter-Faith Council, said the IFC had raised 1/3 of the \$350,000 in private funds necessary for the renovations. He stated that the shelter was experiencing a higher level of usage and was serving a variety of populations. He asked Josh Gurlitz to present the plans for the renovation.

Josh Gurlitz, representing GGA Associates, the architectural firm involved in the renovation, stated that the proposal involved little change to the facade of the building. He said there would be improvements to the windows and doorways, with an additional entrance for handicapped access. He said the landscaping would also be enhanced by additional plantings. Mr. Gurlitz stated that the interior renovations would be made to bring the building up to the code standards and involved the addition of a new heating/air conditioning system. He said that the shelter would

be divided into a men's shelter, along with kitchen storage on the ground floor and that every effort would be made to make this level look bright and inviting. The first floor would house the kitchen, dining room and recreation facilities, and the second floor would be the women's shelter and meeting and office space.

Council Member Andresen said that she was glad the architects were respecting the exterior of the building and it would not be modified to a large extent. She asked if the interior modifications would make the building unsuitable for any other type of use. Mr. Gurlitz replied that the interior modifications were primarily being done to meet the code standards and that they would not prevent the building from being used for other things than a shelter.

Council Member Preston also said she was glad to see the architects respecting the exterior of the building in the renovation plans especially since the building was being considered for nomination to the National Register of Historic Buildings.

Council Member Wallace commended the IFC and Mr. Gurlitz for their work and efforts to create a shelter for the homeless.

OWASA - Chatham County Agreement

Manager Taylor gave a synopsis of events and discussions held on the proposed water sale to Chatham County by OWASA since April when the Council was asked to endorse the proposal. He said the staff report included a resolution supporting the proposal but also that there were areas that needed to be further explored involving joint land use planning. He said there was also a resolution which indicated that these areas in need of further discussion should be addressed more fully before an agreement with OWASA and Chatham County were made.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG TO ADOPT RESOLUTION 88-6-13/R-4.1.

Council Member Werner stated that this was an issue which could be discussed for hours and that the primary concern of the Council were the broader planning, joint planning and cooperative issues. He said he supported the proposed resolution which in essence said that the Council expressed gratitude to Chatham County for their willingness to enter into further discussions with Chapel Hill, Carrboro and Orange County representatives; and that the Council concurred that each jurisdiction should designate an elected official to formulate an agenda for specific topics for discussion and a timetable for accomplishment, and that the Council designated Council Member Andresen to be the Town's representative; and that Council Members Andresen and Wilkerson would represent the Town in an inter-jurisdictional committee on any proposed land use plan changes; and that the Council requests OWASA's Board of Directors to defer action on

the proposed agreement with Chatham County pending the further discussions between the elected officials.

Council Member Wallace said that he had no doubt that Chatham County needed water and that he hoped that in the case of an emergency water would be provided. He said he felt the joint application for Jordan Lake water supply should be made as soon as possible and that discussions amongst the elected officials should commence immediately.

Council Member Godschalk said he was pleased to see the letter from Chatham County stating their desire to have further discussions on joint planning. He stated that there had also been a letter from the Alliance of Neighborhoods which indicated that information on the proposals needed to be more widely distributed so that the citizens of Chapel Hill could be more informed on the issues.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION OF THE CHAPEL HILL TOWN COUNCIL REGARDING DISCUSSION OF PLANNING MATTERS WITH CHATHAM COUNTY REPRESENTATIVES AND REQUESTING THE ORANGE WATER AND SEWER AUTHORITY BOARD OF DIRECTORS TO DEFER ACTION ON A PROPOSED AGREEMENT ON SALE OF WATER TO CHATHAM COUNTY (88-6-13/R-4.1)

WHEREAS, the Orange Water and Sewer Authority has submitted to the Town Council of Chapel Hill a draft agreement concerning sale of water to Chatham County and concerning other related matters; and

WHEREAS, OWASA has requested the Chapel Hill Town Council's comments; and

WHEREAS, some members of the OWASA Board of Directors have indicated they wish to take action on June 23, 1988 concerning the proposed agreement with Chatham County; and

WHEREAS, the Council has designated Council Members Andresen and Wilkerson to represent the Council in discussions among Chatham County and Orange County jurisdictions;

WHEREAS, there has been discussion among representatives of Chatham County and jurisdictions in Orange County; and

WHEREAS, the Council believes additional discussions are needed; and

WHEREAS, the Town Manager has submitted a report to the Council with suggested statements of principle for developing an agreement on cooperative and coordinated planning for southern Orange County and northern Chatham County; and

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WHEREAS, the Chairman of the Chatham County Board of Commissioners has submitted to the Mayor a letter dated June 12, 1988 which outlines specific goals and which suggests that Carrboro, Chapel Hill and Orange County each designate one representative to meet with one Chatham County Commissioner to formulate an agenda of the specific items to be discussed and a timetable for their accomplishment; and

WHEREAS, the Chairman of the Chatham County Board of Commissioners has further suggested that when an agenda is agreed to by the various representatives, two representatives from each jurisdiction as well as staff would be asked to meet to work through the issues with the goal that this inter-jurisdictional committee could bring back to each board recommendations for changes which may be needed in the land use plans of each jurisdiction;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill:

1. That the Council expresses its gratitude to the Chatham County Board of Commissioners for expressing their willingness to enter into further discussions with Chapel Hill, Carrboro and Orange County representatives, and for the commitment to several goals as stated in the letter of June 12, 1988 from Chairman Henry Dunlap Jr. to Mayor Howes.
2. That the Council concurs that each jurisdiction should designate one elected representative to formulate an agenda of the specific items to be discussed and a timetable for their accomplishment; and the Council designates Council Member Andresen to represent the Council in such discussions.
3. That the Council designates Council Members Andresen and Wilkerson to represent the Council in subsequent discussions by an inter-jurisdictional committee which could bring back to each board recommendations for changes which may be needed in the land use plans adopted by each jurisdiction.
4. That the Council requests the Orange Water and Sewer Authority Board of Directors to defer action on the proposed agreement with Chatham County pending further discussion between elected officials of Chatham County, Orange County, Carrboro and Chapel Hill; and to defer action pending further comment by the Council to the OWASA Board of Directors.

This the 13th day of June, 1988.

Jordan Lake Water Supply Application

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 88-6-13/R-5. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION SUPPORTING ORANGE WATER AND SEWER AUTHORITY'S PROPOSAL TO APPLY FOR AN ALLOCATION OF B. EVERETT JORDAN LAKE WATER SUPPLY STORAGE AND EXPRESSING SUPPORT FOR SUBMITTING SAID APPLICATION IN COOPERATION WITH OTHER AGENCIES (88-6-13/R-5)

WHEREAS, Orange Water and Sewer Authority (OWASA) is responsible for providing essential public water and sewer services to present and future residents, businesses and institutions within the Town of Chapel Hill and the surrounding area; and

WHEREAS, OWASA has reviewed possible water demands for the next several decades and assessed the water supply available from existing and planned water sources, and has determined that additional water supply sources will need to be developed to meet the potential demand for water by present and future OWASA customers; and

WHEREAS, B. Everett Jordan Lake is a multiple-purpose water resource which is reported to have approximately 100 million gallons of water per day potentially available for use as a public water supply; and

WHEREAS, B. Everett Jordan Lake will continue to undergo close observation, testing and evaluation as to quality and suitability for use as a public water supply source, and the technology for the treatment of water from this potential source may be further developed to improve protections of the public health of water users who may depend upon the lake as a source of potable water supply; and

WHEREAS, the North Carolina Environmental Management Commission has adopted rules and regulations applicable to the submittal of formal requests for an allocation of water from said lake, and the Division of Water Resources has stated that the date by which allocation requests are to be submitted is July 1, 1988; and

WHEREAS, B. Everett Jordan Lake may in the future be a suitable and economically feasible water supply source for OWASA customers and an allocation of water supply from said lake should be requested by OWASA; and

WHEREAS, the development and utilization of B. Everett Jordan Lake by OWASA in coordination with other water purveyors in the region may offer substantial benefits, including: economies of scale in facility development and ongoing operations; reduction in the adverse environmental impacts associated with facility development; improved water treatment, staffing and water quality

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testing; and greater ability to implement future modifications to the water treatment process; and

WHEREAS, the Town of Chapel Hill fully supports Orange Water and Sewer Authority efforts to carefully and fully evaluate in cooperation with all other interested parties the benefits of joint development and/or utilization of B. Everett Jordan Lake as a future public water supply source;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that:

1. The Council hereby requests OWASA to file with the North Carolina Environmental Management Commission an application for an allocation of B. Everett Jordan Lake water supply storage which OWASA determines is adequate to meet the long-term water supply needs of the OWASA service area. The Town Council supports OWASA's proposal to apply for a Level II water supply storage allocation of approximately 19.0 million gallons per day.
2. The Council supports OWASA's efforts to develop and submit said allocation request jointly in cooperation with the applications of other parties in the region, if possible, including, but not limited to, the Town of Hillsborough, Orange-Alamance Water System, Orange County, Chatham County and the Town of Pittsboro. The Council concurs with OWASA's determination that substantial public benefits may result from participation in a cooperative approach to developing and/or utilizing water supply-related facilities at B. Everett Jordan Lake.
3. The Council also concurs that if a joint allocation application is submitted, said application shall clearly state that the respective allocations requested in the joint submittal are to be made to the individual parties participating in the joint application. Each party should formally express its interest in evaluating cooperative development and/or utilization of B. Everett Jordan Lake as a future water supply source, however, participation in the joint application submittal shall not in any way preclude any party from utilizing and developing its respective allocation either independently from or in cooperation with any or all of the parties to the request.
4. The Council supports the continuation and strengthening of programs established to comprehensively monitor and improve the quality of water in B. Everett Jordan Lake.

This the 13th day of June, 1988.

Water Quality Monitoring Program

Manager Taylor stated that this proposal was for a supplemental water quality monitoring program recommended by the Triangle J Council of Governments. He said the first resolution would authorize participation in the program and the second resolution would provide for an agreement with OWASA and Carrboro regarding OWASA paying for the local share of funding and serving as the representative on the steering committee.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER WILKERSON TO ADOPT RESOLUTION 88-6-13/R-6.1

Mayor Pro-tem Pasquini asked why the Town was getting involved in this area when he felt the Division of Environmental Management was already involved in water quality monitoring. Manager Taylor replied that the Triangle J Council of Governments, to which the Mayor was the Town's representative, had recommended this program because of the concern of the area citizens on water quality. He said the program would be supplemental to the program done by the DEM.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION REGARDING A SUPPLEMENTAL WATER QUALITY MONITORING PROGRAM PROPOSED BY THE TRIANGLE J COUNCIL OF GOVERNMENTS (88-6-13/R-6.1)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Mayor to execute on behalf of the Town an interlocal agreement concerning supplemental water quality monitoring as proposed by the Triangle J Council of Governments in correspondence dated May 26, 1988 including materials from the COG's May 25, 1988 Board of Delegates Meeting.

This the 13th day of June, 1988

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 88-6-13/R-6.2. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION REGARDING FUNDING AND REPRESENTATION ON A STEERING COMMITTEE FOR A REGIONAL SUPPLEMENTAL WATER QUALITY MONITORING PROGRAM (88-6-13/R-6.2)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Manager to enter into an agreement with the Town of Carrboro and the Orange Water and Sewer

Authority concerning funding of the local southern Orange County cost share for a supplemental water quality monitoring program and representation on the steering committee for the program.

This the 13th day of June, 1988

Willow Drive Stop Signs - Report

Chief Arnold Gold stated that this was a six month status report as requested by the Council in November in response to a petition to remove the stop signs. He said the report indicated there had been no detrimental effect on the area with the installation of the stop signs. He said the only measurable effect was that the morning peak hour traffic had decreased 22% but that this could be a result of the opening of I-40.

Council Member Werner asked if there were any positive impact of installing the stop signs? Manager Taylor replied that the study indicated that there was no obvious impact during this short period of time.

Council Member Werner said he would like further information at a later date showing whether or not an impact was made. He said he was concerned that there would be a proliferation of requests for stop signs.

Council Member Godschalk agreed with Council Member Werner. He said putting stop signs at everyone's corner could put a grid lock on the traffic flow town-wide. He said the Council needed to look at the cumulative effect of actions like the placement of stop signs.

Designation of Presiding Officer for June 20 Public Hearing

Mayor Pro-tem Pasquini stated that due to out-of-town business neither the Mayor nor he would be able to attend the June 20th Public Hearing and the proposed resolution would designate Council Member Wallace to chair the meeting.

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 88-6-13/R-7. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION CONCERNING THE JUNE 20, 1988 MEETING (88-6-13/R-7)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council designates James C. Wallace to chair the Council's June 20, 1988 meeting in the absence of the Mayor and Mayor Pro-tem.

This the 13th day of June, 1988.

Tandler Homeownership Project - Monthly Status Report

Manager Taylor said that the marketing efforts were attracting potential homebuyers and that there had been two more closings since the last meeting.

Council Member Andresen asked when the results of the tests on the lots across Merritt Mill Road would be complete and the Town would know what would be involved in building on these lots. Assistant Town Manager Loewenthal replied that the engineers for the developer had not completed the soil tests.

Council Member Andresen stated that the Council had received a letter from Capricorn/Isler, Associates offering the Town the opportunity to acquire nine additional lots near Legion Road for the affordable housing project. She said she had felt that the Town should complete the current project and evaluate it before making any more attempts to provide affordable housing but that since there was an offer available she felt it would be wise to refer this to the Manager for consideration and a report.

Council Member Wilkerson said he felt the proposal should not be viewed as a new project but rather a continuation of the current program.

Council Member Herzenberg commented that the letter from the developer indicated deadlines for the proposal and he wondered if these were open to negotiation.

Council Member Godschalk said that since there were still difficulties with the lots across Merritt Mill Road that this proposal might be viewed as a way to mitigate those problems.

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER WERNER TO REFER TO THE MANAGER FOR A REPORT. THE MOTION PASSED UNANIMOUSLY, (8-0).

Rosemary Square - Monthly Status Report

Manager Taylor said that the staff understood that the developer had received SEC approval to begin selling the condominium units.

Consent Agenda

Council Member Werner asked to remove item #13a from the consent agenda.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT RESOLUTION 88-6-13/R-8 MINUS ITEM #A. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolutions and ordinance, as adopted, read as follows:

A RESOLUTION APPROVING VARIOUS ORDINANCES AND RESOLUTIONS
(88-6-13/R-8)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the ordinances and resolutions submitted by the Manager in regard to the following:

- b. Call a public hearing on August 29 to discuss the Animal Control Ordinance (R-9)
- c. Rename Forsyth Court to Forsythia Court (R-10)
- d. Community Development Grant Ordinance (O-3)

This the 13th day of June, 1988.

Calling a Public Hearing to Discuss' the Animal Control Ordinance

The resolution, as adopted, reads as follows:

A RESOLUTION CALLING A PUBLIC HEARING (88-6-13/R-9)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council calls a public hearing at 7:30 p.m. on Monday, August 29, 1988 in the Meeting Room of the Municipal Building, 306 N. Columbia Street, Chapel Hill to receive citizens' comments on revising the Town's Animal Control Ordinance.

This the 13th day of June, 1988.

Renaming Forsyth Court to Forsythia Court

The resolution, as adopted, reads as follows:

A RESOLUTION REGARDING FORSYTH COURT (88-6-13/R-10)

BE IT RESOLVED by the Council of the Town of Chapel Hill that, in response to a petition from residents of Forsyth Court who have experienced difficulties in mail service, the Council hereby renames Forsyth Court as Forsythia Court, and authorizes the Manager or Manager's designee to assign new house numbers in the 190s series. The Manager shall have copies of this resolution distributed to the residents and owner of property on said street, and to entities including but not necessarily limited to the U.S. Postal Service, Duke Power, Public Service Co., Southern Bell, OWASA, Carolina Cable, Orange County, Champion Map Co., etc.

This the 13th day of June, 1988.

Community Development Grant Ordinance

The ordinance, as adopted, reads as follows:

AN ORDINANCE TO AMEND THE 1987 COMMUNITY DEVELOPMENT ENTITLEMENT GRANT PROJECT ORDINANCE (88-6-13/O-3)

BE IT ORDAINED by the Council of the Town of Chapel Hill that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby amended:

SECTION I

The projects authorized are the Community Development projects as approved by Council on April 25, 1988 (88-4-25/R-9); funds are as contained in the Funding Approval and Grant Agreement between the Town and the U. S. Department of Housing and Urban Development (HUD) The projects are known more familiarly as the 1988 Entitlement Community Development Grant. The grant activities include a homeownership opportunity program and capital projects.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the U. S. Department of Housing and Urban Development, and the budget contained herein.

SECTION III

The following revenues are anticipated to be available to complete this project:

Community Development Grant - 1988	\$279,000
Program Income	5,000
	<u>\$284,000</u>

SECTION IV

The following amounts are appropriated for the project:

Rehabilitation	\$ 60,000
Shelter for Homeless	25,000
Homeownership Program	131,000
Capital Improvements	38,000
General Administration	<u>30,000</u>
Total	\$284,000

SECTION V

The Finance Director is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to HUD as required by the grant agreement(s) and Federal and State regulations.

SECTION VI

Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to HUD in an orderly and timely manner.

SECTION VII

The Manager is directed to report annually on the financial status of each project in Section IV and on the total grant revenues received.

SECTION VIII

Copies of this grant project ordinance shall be entered into the minutes of Council and copies filed within five days of adoption with the Manager, Finance Director and Clerk.

This the 13th day of June, 1988.

Rescheduling the September 26 Regular Meeting to September 29

Council Member Werner asked that whenever possible to reschedule meetings to another Monday. He said that the citizens were used to the Council meeting on a Monday and when this changed there was often confusion.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT ORDINANCE 88-6-13/O-2. THE MOTION PASSED UNANIMOUSLY, (8-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING THE SCHEDULE OF REGULAR MEETINGS OF THE COUNCIL (88-6-13/O-2)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby reschedules the September 26, 1988 meeting of the Council to Thursday, September 29, 1988.

This the 13th day of June, 1988.

Board/Commission

Recommendations to Orange County for Vacancies on the Planning Board and Board of Adjustment Serving the Extraterritorial Areas

Council Member Andresen said she was glad they were asking for a recommendation but that she wished there were more time.

Manager Taylor said that he felt a letter written to the County Commissioners requesting a two-week extension would be appropriate.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER WILKERSON FOR THE MAYOR TO WRITE A LETTER TO THE ORANGE COUNTY COMMISSIONERS REQUESTING A TWO WEEK EXTENSION FOR THEIR RECOMMENDATIONS. THE MOTION PASSED UNANIMOUSLY, (8-0).

Nominations to Vacancies on Boards and Commissions

Council Member Andresen nominated all the applicants on file.

Executive Session

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION AND INTEREST IN REAL PROPERTY. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting adjourned to executive session at 9:28 p.m.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADJOURN THE MEETING. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting adjourned at 10:07 p.m.

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA STREET
CHAPEL HILL, NORTH CAROLINA 27514-3699

Telephone (919) 968-2700

NOTICE OF SPECIAL MEETING OF THE CHAPEL HILL TOWN COUNCIL

TO: Council Member David Godschalk
Council Member David Pasquini
Council Member Nancy Preston
Council Member James Wallace
Council Member Arthur Werner
Council Member Roosevelt Wilkerson

Mayor Jonathan B. Howes

You, and each of you, are hereby notified that the Town Council has called a Special Meeting to be held in the Council Chambers, at 3:30 p.m. on Thursday, June 23, 1988, to consider: 1) an amendment to the Town Council Procedures Manual regarding appointments to Boards and Commissions, 2) the proposed agreement between OWASA and Chatham County, and 3) the membership on the OWASA Board of Directors.

Julie Andresen
Council Member

Joe Herzenberg
Council Member

ACCEPTANCE OF NOTICE

We, the undersigned, members of the Chapel Hill Town Council, hereby accept notice of a Special Meeting of the Council, called by Council Members Julie Andresen and Joe Herzenberg, to be held in the Council Chambers in the Municipal Building, 306 N. Columbia Street, Chapel Hill, N.C., Thursday, June 23, 1988, 3:30 p.m.

Mayor

James C. Wallace
Nancy Preston
David Godschalk

Arthur Werner
Roosevelt Wilkerson

RECEIVED JUN 21 1988 1:40pm

